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# REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN TAJIKISTAN

## I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1240 (1999) of 15 May 1999 by which the Council extended the mandate of the United Nations Mission of Observers in Tajikistan (UNMOT) to 15 November 1999. It brings up to date developments in Tajikistan and the activities of UNMOT since my interim report of 12 August 1999 (S/1999/872).

## II. MAIN DEVELOPMENTS

2. The implementation of the General Agreement on the Establishment of Peace and National Accord in Tajikistan (A/52/219-S/1997/510, annex I) reached important benchmarks during the reporting period, notably, the lifting of the ban on political parties belonging to the United Tajik Opposition (UTO) on 13 August and the holding of a referendum on changes and amendments to the Constitution on 26 September, as scheduled. However, controversy over the registration of candidates for the presidential election, which is scheduled for 6 November, prompted the UTO to suspend its participation in the work of the Commission on National Reconciliation (CNR) on 18 October.

3. Four candidates are seeking election as President: Emomali S. Rakhmonov of the People's Democratic Party, the incumbent, Saifiddin Turayev of the Party of Justice of Tajikistan, Sulton Kuvvatov of the Democratic Party of Tajikistan (Tehran Platform) and Davlat Usmon of the Islamic Revival Party, representing the UTO. According to the law on presidential elections, nominees are required to submit the signatures of 5 per cent of the electorate, namely, 145,000 individuals, to register as candidates with the Central Commission on Elections and Referenda (CCER). Only President Rakhmonov has collected the necessary signatures. The other three candidates have not and they have complained that they have been prevented from doing so by intimidation and obstruction at the local level. On 7 October, they called for an extraordinary session of Parliament to postpone the date of the election and to take administrative measures against government officials who had created obstacles in the course of the collection of signatures or else they would boycott the election.

4. In an ongoing effort to contain the emerging crisis, Ivo Petrov, my Special Representative, together with Marin Buhoara, Head of the Mission of the Organization for Security and Cooperation in Europe (OSCE) in Tajikistan, attended a meeting of the CCER with the three candidates on 9 October. Following that meeting, and in response to their complaints, the CCER extended the deadline for registration a second time, until 11 October, and requested local government bodies to facilitate the collection of signatures. It did not, however, take action to investigate the allegations made by the three candidates. On 12 October, the CCER decided not to register the three candidates owing to their failure to submit the necessary signatures.

5. On 10 October, the UTO recalled its four representatives on the CCER in protest. The following day, the three candidates appealed to Abdullo Nuri, leader of the UTO, in his capacity as Chairman of the CNR, to support them and the same day the CNR recommended that the three candidates lodge a complaint with the Supreme Court of Tajikistan.

6. On 14 October, Mr. Nuri, in his capacity as leader of the UTO, issued an ultimatum calling for, inter alia, an extraordinary session of Parliament to postpone the date of the presidential election; the removal of obstacles to the collection of signatures; equal access to the media for all candidates; the inclusion of representatives of all parties at all levels of the CCER; and the direct supervision of the presidential election by the United Nations, OSCE and other international bodies. On 18 October, the UTO suspended its participation in the CNR. The following day, Akbar Turajonzodah, the first deputy leader of the UTO and First Deputy Prime Minister, who had opposed the position taken by Mr. Nuri, was expelled from the UTO and from the Islamic Revival Party.

7. In a meeting with the Contact Group of Guarantor States and International Organizations on 16 October, President Rakhmonov expressed regret that other candidates would not participate in the presidential election. He added that if the Supreme Court found that district government authorities had created impediments to the collection of signatures, disciplinary measures would be taken against those responsible in accordance with the law.

8. On 21 October, the Supreme Court decided that it did not have the competence to consider violations that had allegedly taken place at the local level and directed the parties to address their grievances to the local courts. The Court further decided that the CCER should allow the registration of Davlat Usmon, on the basis of testimony heard from a member of the CCER that Mr. Usmon had said he had collected the requisite number of signatures. Thus, on 22 October, Mr. Usmon was registered by the CCER. Mr. Usmon himself repeatedly maintained that he had not collected the necessary signatures. On 1 November, the CCER announced it had put Mr. Usmon's name on the ballot papers, together with that of President Rakhmonov.

9. On 25 and 26 October, the Contact Group met with Government and UTO members of the CNR, emphasizing the need to proceed on some key CNR issues, such as the drafting of the law on parliamentary elections. At the suggestion of my Special Representative, the CNR agreed to set up a working group that would prepare a document containing political guarantees for preparation of parliamentary elections in an atmosphere free of violations and obstacles. The aim of the

working group is to obtain assurances from the political leadership that the obstacles, impediments and other difficulties alleged to have been created during the presidential election are eliminated during the parliamentary elections. Mr. Nuri suggested that the working group also discuss ways to overcome the present difficulties related to the presidential election. Abdulmadjid Dostiev, the Deputy Chairman of the CNR, for his part, wanted the working group to focus solely on the provisions of the General Agreement, which does not mention the presidential election since it was meant to be implemented well before that election was due. The scope of the working group's mandate was taken up at its first meeting, held on 27 October and chaired by UNMOT. At the time of writing, UNMOT is working with the two sides to come to an agreement on the issue.

10. The above developments have inevitably cast a shadow on the parliamentary elections, due to be held before the expiration of the term of the present Parliament at the end of February 2000. On the assumption that the present difficulties will be overcome, the United Nations, in cooperation with OSCE, is preparing for international monitoring of the electoral process. A third joint OSCE/United Nations assessment mission will travel to Tajikistan after the CNR resumes its work to monitor the preparations for the parliamentary elections and to advise the Government on what needs to be done in order to meet international standards.

Constitutional referendum

11. The referendum on changes and amendments to the Constitution took place on 26 September. According to the CCER, 72 per cent of those who cast their vote approved the amendments, namely (a) the establishment of a two-chamber Parliament; (b) the election of members of the Lower Chamber on the basis of equal, direct and secret vote; (c) the election of 75 per cent of the Upper Chamber by the local parliaments, with the remaining 25 per cent to be appointed by the President; (d) the establishment of a Judicial Council, which will participate in appointing and dismissing judges at various levels; (e) a clause permitting the functioning of political parties based on religion and (f) the extension of the term of the President from five to seven years with no possibility of re-election.

Ban on political parties

12. Following the declaration by the UTO of the disbandment of its armed forces (see S/1999/872, para. 2), on 13 August the Supreme Court of Tajikistan lifted the ban on UTO political parties and movements, namely, the Islamic Revival Party, the Democratic Party of Tajikistan (Almaty Platform), the Lali Badakhshan Movement and the Rostahez Movement. On 18 September, the Islamic Revival Party held its first congress since 1993. Delegates amended the Party's charter, bringing it in line with the requirements of the new Law on Political Parties as revised in November 1998. The Ministry of Justice subsequently re-registered the party, allowing it to participate fully in all political activities. On 7 September, the Islamic Revival Party newspaper, Najot, was published legally for the first time since the 1993 ban.

13. The Democratic Party of Tajikistan (Almaty Platform) held its first congress since 1993 on 25 September. It has not, however, been able to re-register because another party had already registered under the same name. The two are exploring ways to resolve their differences and perhaps to merge in the future. The registration of the Lali Badakhshan Movement and the Rostahez Movement is pending.

Amnesty

14. The two-member CNR panel established following the signing of the 17 June Protocol between President Rakhmonov and Mr. Nuri had recommended the release of 47 UTO supporters imprisoned for criminal charges (see S/1999/872, para. 11). The President subsequently granted amnesty to 40 of them in two separate decrees. Their release is still pending. Of the remaining seven prisoners, two were executed and two died before the decrees were issued; three prisoners were found not to be eligible for amnesty.

Power-sharing

15. During the reporting period 2 UTO representatives were appointed to posts at the district and city level, bringing the total at that level to 14. No new appointments were made to central government posts beyond those reported previously.

Contact Group

16. The Contact Group of Guarantor States and International Organizations continued to support the peace process. It met repeatedly with the CNR to review shortcomings in the implementation of the General Agreement and to help overcome difficulties.

Reintegration of former fighters

17. Following the public declaration by the UTO of the disarmament and disbandment of the UTO, a nation-wide disarmament campaign was conducted from 5 to 25 August with the participation of members of the CNR and other high-ranking personalities. Delegations travelled throughout the country, urging that weapons be turned over to the authorities. The final results of the campaign were disappointing, however. It is believed that the majority of serviceable weapons remain in the hands of former UTO fighters, other groups and the population at large. None of the artillery pieces and weapons brought back by a UTO group from Afghanistan in 1998 were handed in.

18. Previous government reports had stated that 6,039 places had been set aside for former UTO fighters in the armed forces, police and security forces. According to the latest CNR reports, however, only 2,309 former fighters had been integrated in those structures, while another 2,370 had been demobilized. Relatively few of the fighters have actually been integrated into the chain of command or are being provided salaries, uniforms, food and accommodation. The Tajik Border Forces appear to have made the most substantial progress in that regard.

19. The job-creation projects for former fighters carried out by the United Nations Office for Project Services continued. A total of 1,130 persons are now employed in 52 projects, covering five districts in the Karategin Valley. Of these, 836 are former UTO fighters, 50 are war widows and 244 are technical experts drawn from the local communities. The amount allocated at present is $2 million; while $1.15 million from the United States of America, $500,000 from Norway and $350,000 from Canada. The United Nations Development Programme (UNDP) administers the funds.

Police

20. During August and September, UNMOT conducted courses on human dignity and the police in three separate modules, introducing a total of 120 police trainers to the United Nations Code of Conduct for Law Enforcement Officials. The response was positive and there have been requests for additional courses to be held both in Dushanbe and in other regions.

Security

21. With the exception of the eastern part of the Karategin Valley, the situation remained relatively calm. In mid-August, an armed group reportedly belonging to an extremist Uzbek faction took several hostages in the south-western area of Kyrgyzstan, near the Tajik border. Among the hostages were Kyrgyz servicemen, civilians and four Japanese citizens and their interpreter. The group reportedly crossed into Tajikistan with the hostages, prompting air attacks by Uzbek armed forces. The hostages were released in stages, with the last being freed on 25 October.

22. On 29 October, an armed clash reportedly took place in the area of Darband, in the Karategin Valley, between members of the Presidential Guard and a group formerly belonging to the UTO. The latter is reportedly blocking the entrance to the Karategin Valley, which links the eastern regions to the rest of the country.

23. In Dushanbe and elsewhere there continued to be reports of criminal violence and of sporadic clashes among individual members of the UTO and between them and government servicemen.

Humanitarian activities

24. Since the beginning of the year, the Office of the United Nations High Commissioner for Refugees has assisted in the voluntary repatriation of 4,119 Tajik refugees from Afghanistan, Kazakhstan, Kyrgyzstan and Turkmenistan. These repatriations were carried out with the cooperation of the CNR Subcommission on Refugees.

25. The humanitarian operations of the United Nations system continued to include life-saving interventions and programmes aimed at stabilizing populations at risk, complementing the job-creation projects for former fighters. Currently, the consolidated inter-agency appeal for 2000 is being prepared as a strategic document that will guide a gradual transition to a more development-oriented focus. Previous appeals and donor conferences organized in

1997 and 1998 have resulted in very low actual disbursement of funds. In August and September, UNDP entered into final discussions with the Asian Development Bank and the Government of Tajikistan concerning the role of the United Nations Office for Project Services as implementing partner of a $20 million social sector grant to the Government of Tajikistan.

Organizational matters

26. As of October 1999, UNMOT comprised 167 civilian staff, of whom 50 were internationally recruited, including 3 United Nations Volunteers, and 37 military observers from Austria (3), Bangladesh (3), Bulgaria (3), the Czech Republic (3), Denmark (2), Ghana (2), Indonesia (2), Jordan (6), Nepal (2), Nigeria (2), Poland (3), the Ukraine (3) and Uruguay (3). A four-member medical unit from Bangladesh and Jordan is included in the above. There are two civilian police officers from Denmark and Poland.

27. In addition to its headquarters in Dushanbe, UNMOT maintained field offices in Kurgan-Tyube, Khorog and Khujand. It continued to observe strict security measures and maintain close contact with the Collective Peacekeeping Forces of the Commonwealth of Independent States and liaison with the Russian border forces.

28. Ivo Petrov assumed his functions as my Special Representative on 2 October. Brigadier General John Hvidegaard (Denmark) continued as Chief Military Observer.

## III. FINANCIAL ASPECTS

29. The General Assembly, in its resolution 53/19 B of 8 June 1999, appropriated an amount of $18.7 million gross for the maintenance of UNMOT for the period from 1 July 1999 to 30 June 2000. Should the Security Council decide to extend the mandate of UNMOT at its current strength beyond 15 November 1999, the monthly cost of maintaining the Mission would be approximately $1.6 million.

30. As at 30 September 1999, unpaid assessed contributions to the Special Account for UNMOT from the inception of the Mission to 15 November 1999 amounted to $7.4 million, which represents some 12 per cent of the assessment for the Mission. The unpaid assessed contributions for all peacekeeping operations amounted to $1.8 billion.

## IV. OBSERVATIONS

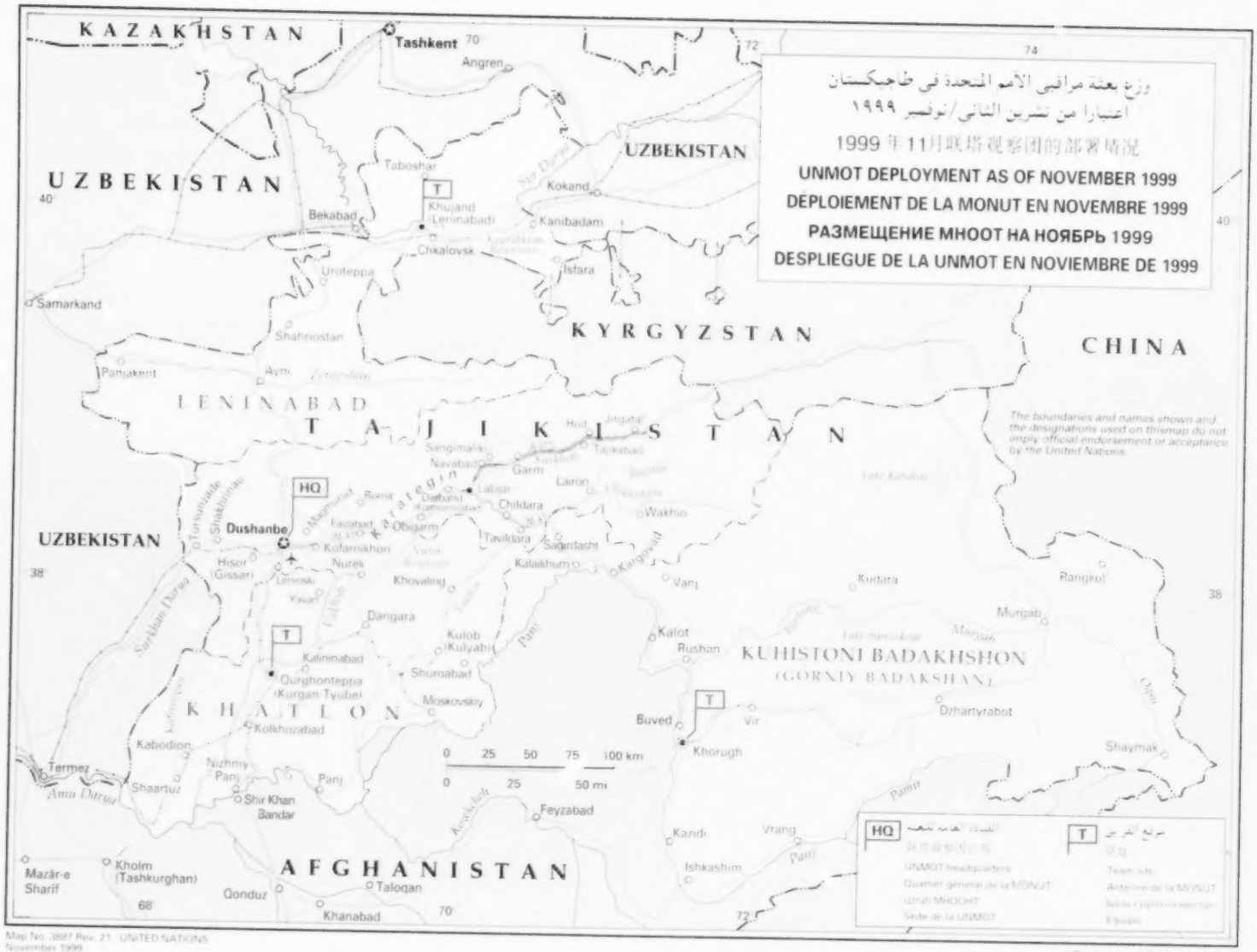
31. During the last three months, the peace process in Tajikistan has made further progress, with the constitutional referendum and the lifting of the ban on UTO political parties, both important milestones. The last major event of the transition period envisaged in the General Agreement will be the parliamentary elections, to be held before the term of the current parliament expires at the end of February 2000.

32. As the transition period nears its end, UNMOT approaches the completion of its assignment. Although the peace process has been marred by recurrent serious crises and the implementation of the General Agreement has been far from perfect, it has served its fundamental purpose, which was to set Tajikistan on the course of national reconciliation and democratization. That this has indeed happened is in no small measure due to the at times extraordinary efforts of UNMOT and the active support of the guarantor States and international organizations that make up the Contact Group.

33. Close international involvement remains essential to assist Tajikistan in any political tensions, to ensure that they are resolved by peaceful means rather than by violence, for which, regrettably the potential remains. In this context, there is a continuing requirement for supporting measures such as job creation for former fighters and the monitoring of the process leading to the election of the new Parliament, both of which depend on voluntary funding.

34. In the circumstances, I recommend that the Security Council extend the mandate of UNMOT for another six months, until 15 May 2000. I envisage this as the last extension of the mandate, since the process of transition stipulated in the General Agreement will come to an end during that period. However, it is widely held that a continued political presence of the United Nations would greatly assist in ensuring that Tajikistan can consolidate the path of peace and national reconciliation. Therefore, I intend to outline in an interim report following the parliamentary elections, a possible political role for the United Nations in this respect that the Security Council may wish to consider.

35. Finally, I should like to pay tribute to Mr. Ivo Petrov, my Special Representative, and to the men and women serving with him for the exemplary manner in which they have continued to discharge their responsibilities. I should also like to thank the countries contributing military personnel to UNMOT for their cooperation and support during this period.

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